

NOTICE OF SERVICES

Utah Department of Human Services
Office of Recovery Services
Child Support Services

DETACH THIS FORM AND KEEP IT FOR YOUR RECORDS.

The Office of Recovery Services/Child Support Services (ORS/CSS) provides child support services under the Federal/State IV-D Child Support Program. These services are provided to people who: 1) receive cash assistance or Medicaid from the Department of Workforce Services (DWS) or the Department of Health (DOH); 2) are no longer receiving cash assistance or Medicaid but continue to receive child support services; and 3) apply directly to ORS/CSS for IV-D child support services.

Services Provided:

Case Opening and Locating the Non-Custodial Parent

We will open your case and try to locate the non-custodial parent's address and assets through automated computer matches to obtain or enforce a support order.

Establish an Order for Paternity, Child Support and Medical Support

We will try to establish the paternity of children who are born out of wedlock.

We will try to establish a child support order if you do not already have an order. The order will address each parent's share of the total obligation when the child(ren) is not living with that parent. We enforce the obligation of the non-custodial parent(s). If physical custody of the child changes, the support obligation will follow the child. You will be notified if you are obligated to pay child support to our

office. Refer to the "Enforcing the Support Order" section, below.

The order will require the parent who has health insurance coverage available to get the insurance and will require each parent to share equally in the children's future uninsured medical expenses.

We may obtain a judgment for pregnancy and birth expenses at the same time the support order is established.

Review and Adjustment of Support Orders

Either parent may ask us to review the support order once every three years from the time the order was issued or last modified, or when a substantial change in circumstances has occurred.

You must make a request for a review in writing.

Not all reviews will result in a change (adjustment) to the order. If there is a change, the amount could go up OR down. To get an idea what the new amount may be, request a "Review and Adjustment Packet" by calling (801) 536-8507 or your regional ORS/CSS office (phone numbers are listed on page 6), before you request a review.

Medical Support Enforcement

We automatically provide medical support enforcement services to people who are receiving cash assistance, Medicaid or people who apply for our services.

If you are applying for services and there is an order for medical support and the children are currently covered by medical insurance, other than Medicaid, you may indicate on the APPLICATION FOR NON-IV-A SERVICES (Form ANIB) that you do not need medical support enforcement **IF** you have provided ORS/CSS with the insurance information. If we learn that the medical insurance terminates, we will begin medical support enforcement.

If medical insurance coverage is not ordered in the support order, ORS/CSS may modify the order to include a provision for medical insurance.

When a parent is ordered to maintain insurance coverage for the children, but fails to do so, we will send a notice to the parent's employer to enroll the children in a health insurance plan.

Utah's child support guidelines allow the parent that is ordered to maintain insurance coverage to receive credit for up to 50% of the child's portion of the premium. This is done by adjusting the base child support award for the children's portion of the insurance premium. The adjustment may make the child support amount go up or down depending on which parent was ordered to maintain the insurance.

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Enforcing A Utah Child Support Guidelines Order

We will enforce the support obligation against the parent(s) that does not have physical custody of the child. If neither parent has physical custody of the child, we will enforce the obligations of both parents.

When physical custody of the child changes, we may enforce the obligation against the other parent(s) without modifying the order.

Enforcing All Support Orders

We will try to collect support by: taking the payments out of the non-custodial parent's paycheck; taking federal and state tax refunds; imposing liens on real and personal property; reporting the past-due amount to the credit bureau; and taking other enforcement actions we decide are appropriate.

Payments

When payments are received (except federal tax refunds), they are generally credited in the following order:

- 1) to current support debts;
- 2) to past-due amounts owed to the family, when the family is not receiving cash assistance; and
- 3) to past-due support owed to the state, when the family is receiving cash assistance.

We may split the support payments received among the non-custodial parent's **current** child support debts if s/he does not pay enough to cover the monthly amount due.

If the non-custodial parent owes **past-due** support to more than one family, we may split the payment of the past-due amount among the cases.

Payments received from federal tax refunds are credited as follows:

- 1) past-due amounts owed to the State;
- 2) past-due amounts owed to the family.

Payments are usually credited to support owed for the month in which they are received in the ORS/CSS office. However, payments received during the last two working days of the

month may not be credited to the case(s) until the following month.

We generally send support payments to the custodial parent within two days of receiving the payment when the family is not receiving cash assistance. We generally send intercepted tax refunds within 6 months of receiving the money.

ORS/CSS tries to credit payments properly. However, if the employer or non-custodial parent does not provide complete information with the payment, the payment may be credited incorrectly. If we send you a payment that was intended for another ORS/CSS debt, we may retain your future payment(s) to repay the debt.

Sometimes the IRS, State Tax Commission or DWS takes back a payment that has been sent to the custodial parent. If this happens, the custodial parent must repay the take-back amount. Note: The IRS has up to six years to take back a federal tax refund.

Release of Case Information

If the non-custodial parent lives in another state and a case referral is sent to that state, the addresses of the custodial parent and the non-custodial parent will be included in the referral.

If the case is sent to the Attorney General's Office for a court action, the addresses of the custodial parent and the non-custodial parent will be included in the court documents, which become public records.

Your address may be released to the other party's attorney, or to the other party who is acting pro se, in cases where the other party needs to be served with legal due process as the result of a judicial action that has been initiated by the other party or his/her attorney to establish or modify an order or judgment for bona fide child support, spousal support, medical support or child care.

The names and social security numbers of the custodial parent, the non-custodial parent and the child(ren) are sent to the Federal Case Registry,

where the information may be accessed by authorized agencies, such as child support agencies in other states.

If you have a domestic violence issue and you would like ORS/CSS to attempt to safeguard your case information and your children's case information, complete the "Release of Information" section on the attached APPLICATION FOR NON-IV-A SERVICES (form ANIB) or the ASSIGNMENT OF RIGHTS (form ANIC).

Contact ORS/CSS if you have any questions about the release of case information. The regional office phone numbers are listed on page 6.

Interstate

Sometimes when the non-custodial parent lives in another state we may be unable to work the case ourselves and must send a referral to the other state.

We cannot tell the other state how to work your case. The only case status information we receive from the other state is when a hearing is scheduled and the results of the hearing.

If the non-custodial parent does not live in the United States, the case can only be worked if we have an agreement with the non-custodial parent's country to work child support cases. If the foreign country requires your support order to be translated into another language before proceeding, you will need to have the order translated at your own expense.

Help Us Help You:

Automated Information Service (AIS)

Use AIS for information or questions about payments, electronic funds transfer, or general information about the services provided by ORS/CSS. The regional phone numbers are listed on page 6.

Cooperate with ORS/CSS

Provide complete and accurate information about the non-custodial parent(s); answer all questions regarding your case; give us copies of orders and the Child Support Guidelines Worksheets; send ORS/CSS any payments you receive directly from the non-custodial parent(s); appear at interviews, hearings and court proceedings; submit to genetic testing, etc.

Non-Cooperation

If you are receiving cash assistance and do not cooperate, your cash assistance may be reduced and/or your DWS case closed. If you feel cooperation may cause physical or emotional harm to you or your children, contact your DWS worker.

If you are NOT receiving cash assistance and do not cooperate and ORS/CSS is unable to take the next step on your case, your case will be closed.

Medicaid Cooperation/Non-Cooperation

If you are receiving certain Medicaid benefits you must cooperate with ORS/CSS in obtaining and enforcing a medical support order. You must give to ORS/CSS any medical support you receive from the non-custodial parent. If you do not cooperate, you will be removed from the Medicaid card.

Support Payments

Send any support payments you receive directly from the non-custodial parent or from any other source to:

Child Support Services ORS

PO Box 45011

Salt Lake City, UT 84145-0011

Include a note with the following information:

- 1) your case number or the non-custodial parent's social security number; and
- 2) a statement that indicates the payment was made directly to you.

If you do not include the note with the above information, the full payment may not be credited to your case.

We will notify the non-custodial parent to send any support payments directly to ORS/CSS.

Tell ORS/CSS New Information Immediately

- Tell us if you are working with a private attorney or agency to collect your child support; also tell the private attorney or agency that you have a case with ORS/CSS.

- Tell us if an attorney or agency files any legal pleadings in court in regard to your child support.

- Keep us advised of your current name, address, social security number, phone number and your employer's name and address.

- Tell us if the non-custodial parent's address, phone number or employer changes.

- Tell us if you, the non-custodial parent, or a spouse enrolls the children in a health insurance plan. Also, tell us if the children are dropped from the health insurance plan.

- Tell us if your children are receiving cash assistance and tell us when they are no longer eligible to receive child support, for example: children who are emancipated; children not living with you; etc. You will need to repay any support payments sent to you for ineligible children.

- Tell us if you remarry.

- Give us a **certified** copy of your support orders, such as a legal

separation order, divorce decree, paternity order, juvenile court order or judgment for past-due support.

- Give us a **certified** copy of any new order that changes your child support, spousal support or medical support.

- Give us the **social security numbers** of everyone involved in your case.

Electronic Funds Transfer (EFT)

We can deposit your child support payments directly into your checking or savings account at your financial institution, unless you are receiving cash assistance from the State of Utah.

BENEFITS:

- * Your payment goes directly into your checking or savings account.
- * Your payment will be deposited within three days.
- * You do not have to wait for the US mail to deliver a check.
- * You do not have to go to the bank to cash a check.
- * No risk of a lost or stolen check.

TO ENROLL:

Applicants not receiving cash assistance must complete the "EFT" section in the attached APPLICATION FOR NON-IV-A SERVICES (Form ANIB).

For more information call the ORS Automated Information Service for your region. Regional phone numbers are listed on page 6.

Important Information to Parents Receiving Cash Assistance or Medicaid

The following information applies to you if you are currently receiving cash assistance or Medicaid from the state of Utah.

You cannot enter into an agreement with the non-custodial parent to accept “in-kind” support in place of the court ordered support. If you do accept “in-kind” support, **you will need to pay ORS/CSS an equal cash amount.** Examples of in-kind support are food, clothing, housing, utilities, etc.

You cannot enter into a written agreement with the non-custodial parent for a reduction of child support during an extended visitation while you are receiving cash assistance. If your child support order gives the non-custodial parent extended visitation rights, please contact your regional ORS/CSS office prior to the extended visit.

When your cash assistance case and Medicaid case close, we will provide full child support services which includes, child support, spousal support and medical support enforcement services **unless you tell us you do not want the services.**

You assigned (transferred) your past, present and future child, spousal and medical support rights to the State when you became eligible for cash assistance. **You will NOT receive your monthly child support payments when you are receiving cash assistance.** We will keep any support the non-custodial parent pays up to the total amount of cash assistance you receive. If the amount of the support collected is more than the total cash assistance you receive, the excess amount is sent to you.

Fees for Services:

The fees listed below are charged to those who are **NOT** receiving cash assistance or Medicaid.

Payment Processing

We will charge a \$3.50 processing fee each time a payment is processed and sent, by mail or EFT, to the custodial parent. The fee will not exceed \$7.00 per month. This charge will be withheld from the support payment before it is sent to the custodial parent.

Federal Tax Intercept Charge

We will charge the applicant up to \$25.00 if we take the non-custodial parent’s federal tax refund. If the custodial parent is the applicant, we will withhold the charge from the tax refund before it is sent to the custodial parent. If the non-custodial parent is the applicant, a \$25.00 charge will be added to the non-custodial parent’s obligation.

Internal Revenue Service (IRS) Full Collection Charge

If you want your case sent to the IRS for enforcement services, you must pay a fee of \$122.50. This fee is charged by the IRS and must be paid at the time the case is accepted for their enforcement services.

Case Paternity Services

When a mother gives false information to ORS/CSS regarding the paternity of her child, the court may order her or ORS/CSS to pay the alleged father’s court costs and attorney fees. If the court orders ORS/CSS to pay these costs, we will seek reimbursement from the mother. **We may seek reimbursement from those who are receiving cash assistance,** as well as those who are not.

We will charge the mother for the cost of genetic tests if the man named as the father is excluded.

Interstate Cases

There may be other charges if your case is referred to another state and that state charges a fee.

Collection/Enforcement Services from a Private Collection Company

We may offer to refer your case to a private collection company for additional services. Private collection companies charge additional fees for their services. If you agree to have your case referred to a private collection company, these fees will be deducted from the support payment before it is sent to the custodial parent.

**ORS/CSS RESERVES THE RIGHT TO GIVE FURTHER
NOTICE ABOUT ADDITIONAL COSTS AND FEES
THAT MAY BE CHARGED IN THE FUTURE.**

Other Information

We ONLY collect spousal support (alimony) if the non-custodial parent is also ordered to pay current child support for children living with the custodial parent.

We ONLY collect interest if it is listed as a specific **dollar** amount in a judgment or in an interstate case if the other state collects interest for its customers and provides ORS/CSS with the specific interest amount.

We ONLY collect ongoing medical support if it is included as a specific **dollar** amount in your support order. We will try to enforce judgments **you obtain** from the court for unpaid medical bills.

We ONLY collect ongoing child care expenses if the obligor or obligee made the request, the specific dollar amount for child care is included in a court order along with a child support obligation, **and** neither parent is disputing the monthly child care amount. We will try to enforce past-due child care expenses if you obtain a judgment from the court. For more information, contact ORS/CSS. Refer to the regional phone numbers on page 6.

We do not represent either parent. We may be assisted by attorneys from the Utah Attorney General's Office. They are the **State's** attorneys. They represent the State and are not personal attorneys for either parent. This means that no attorney-client relationship exists between you and the State's attorney. If you want legal advice, you may want to consult with a private attorney.

We decide the actions that we will take on your case. You may want to consider using a private attorney or agency if you want legal action or a service that we do not provide, or if you want to be involved in deciding exactly how your case is worked.

We cannot address custody, visitation, property settlement issues or any other non-support issues. We cannot provide all the services you may receive from a private attorney. Services are limited to those described in this Notice.

We cannot always collect past-due support. Based on a Utah law, we can only collect past-due support within 4 years of when the last child in a Utah order reaches the age of majority. This means that if you have a Utah divorce order, we can no longer collect past-due support after your youngest child turns 22. If your order was issued by a state other than Utah, we may be able to apply that state's statute of limitations for collecting past-due support and extend the collection time period.

ORS/CSS Regional Offices and Telephone Numbers:

Salt Lake

P.O. Box 45011, Salt Lake City, UT 84145-0011
(Office located at 515 E 100 S)
801-536-8500 or 800-662-8525

Layton

523 Heritage Blvd. Suite 1
Layton, UT 84041
801-626-3475 or 800-336-2629

Ogden

2540 Washington Blvd.
Ogden, UT 84401
801-626-3475 or 800-336-2629

Provo

150 E Center St., Suite 2100
Provo, UT 84606
801-374-7233 or 800-255-8734

Richfield

1088 South Highway 89
Richfield, UT 84701
435-896-1440 or 800-896-5461

St. George

P.O. Box 2050, St. George, UT 84771
(Office located at 168 N 100 E)
435-674-3900 or 800-678-1732

Reasonable accommodations per Americans with Disabilities Act available with minimum 3 days advance notice.